

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

March 8, 1993

IN REPLY REFER TO:
7330-7/1700A3Room 222
Dockets #800

RECEIVED

AUG 11 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARYHonorable John Myers
House of Representatives
2372 Rayburn Building
Washington, D.C. 20515

Dear Congressman Myers:

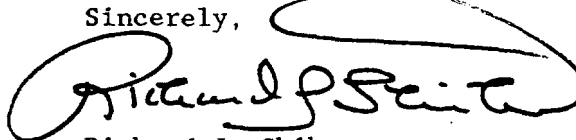
This is in reply to your letters of February 17 and 18, 1993, in which you inquired on behalf of several of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

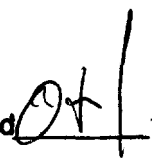
We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take your constituents' concerns into account when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Your constituents' letters will be included in the record of the proceeding. We expect final rules to be issued in 1994.

Sincerely,

Richard J. Shiben
Chief, Land Mobile & Microwave Division
Private Radio Bureau

Enclosure

No. of Copies rec'd
List ABCDE

JOHN T. MYERS
7TH DISTRICT, INDIANA

OFFICES:
2372 RAYBURN BUILDING
WASHINGTON, DC 20515-1407
TELEPHONE: 202-225-5805

107 FEDERAL BUILDING
TERRE HAUTE, IN 47808-3689
TELEPHONE: 812-238-1619

107 HALLECK BUILDING
LAFAYETTE, IN 47901-1322
TELEPHONE: 317-423-1661



Congress of the United States
House of Representatives

February 18, 1993

FKB
92235
COMMITTEE ON APPROPRIATIONS

RANKING MINORITY MEMBER,
SUBCOMMITTEE ON ENERGY AND
WATER DEVELOPMENT

SUBCOMMITTEE ON AGRICULTURE
AND RURAL DEVELOPMENT

COMMITTEE ON POST OFFICE
AND CIVIL SERVICE

RANKING MINORITY MEMBER,
SUBCOMMITTEE ON COMPENSATION
AND EMPLOYEE BENEFITS

SUBCOMMITTEE ON POSTAL
PERSONNEL AND MODERNIZATION

800

Mr. James H. Quello
Acting Chairman
Federal Communications Commission
1919 M Street NW
Washington, D.C. 20554

Dear Mr. Quello:

Enclosed please find several letters I have received from my constituents in opposition to proposed rules being promulgated by the Federal Communications Commission which would negatively impact their use of radio controlled model airplanes.

It would be greatly appreciated if you would review the enclosed concerns and include them in the docket for review.

Thank you for giving this matter your attention.

Sincerely,


John Myers

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Enclosure

February 03, 1993

The Honorable John T. Meyers
2372 Rayburn House Office Building
Washington D.C 20510

I have been interested in aviation for a long time. Myself and my family are very active in a local club where members enjoy building and flying radio controlled model airplanes.

I am very concerned about proposed rules that are currently under consideration by the FEDERAL COMMUNICATION COMMISSION (FCC).

The proceeding is PR DOCKET 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

The ACADEMY OF MODEL AERONAUTICS (AMA) has moved its headquarters to Muncie Ind. this in turn brings in a lot of tourist and a lot of revenue to the state of Indiana.

Please help myself my family and other club members to continue the safe enjoyment of our hobby by not allowing the FCC to carry out its proposal

Sincerely,
Kenneth Hewitt

Kenneth Hewitt

*Kenneth Hewitt
632 Rose Lane
Muncie, IN
46108*

February 8, 1993

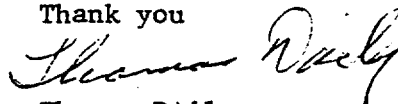
Dear Congressman Myers

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission. The proceeding is PR Docket 92-235.

If adopted the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

I have been interested in aviation for a long time and I am very active in a local club whose members enjoy constructing and operating radio controlled model airplanes. Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Thank you



Thomas Daily
1600 So. 8th St.
Terre Haute, IN 47802

Matthew G. Wheeler
816 Tippecanoe #3
Lafayette, IN 47904

January 26, 1993

Mr. John T. Meyers Representative
232 N 4th St.
Lafayette, Indiana 47904

Dear Representative Meyers,

Re: FCC NPRM --- PR Docket 92-235: Changes to Part 95

I am 26 years old and I am currently working on a PhD. at Purdue University in the school of mechanical engineering. In September of 1992 I became involved in the absolutely wonderful hobby of building and flying radio controlled model airplanes. Since then I've dedicated about 110 percent of my disposable income and time to these model airplanes. It gives me a chance to apply the skills I'm perfecting in engineering school to developing real machines. I am sure that I'll be a much better, more innovative engineer because of my experience with RC modeling. I've also met many other outstanding citizens who share my love for the sport. These are some of the people who make America great. They are entrepreneur, engineers, scientists, farmers, and inventors. They don't sit around watching TV at night, they are using their minds and their fingers to create beautiful flying machines. And during the day they are participating in our community in equally impressive ways.

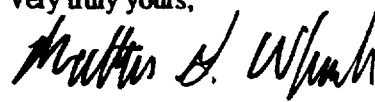
There are about 50 frequencies available to the fliers of RC airplanes. Most modelers have radios that transmit on only one of these frequencies. There is currently a proposal before the FCC to allocate two new frequencies between each of the 50 frequencies available to RC modelers. These new frequencies would be reserved for use by cellular telephones. As I understand it the use of a cellular telephone on a frequency this near to one used by an RC modeler would very likely cause the RC modeler to loose control of his airplane. The thought of this is especially frustrating because cellular telephones are mobile. You will never know when your labor of love will be shot out of the sky by a guy calling for a pizza in his car on the way home from work.

For many modelers the danger of this type of interference would be too much to bear. There are models worth over \$5000. Flying these models simply could not be risked in the proposed frequency environment. If many of the RC modelers are forced out of the hobby there could be a very costly impact on the hobby shops any small manufacturing businesses that support RC modeling. More important than wasted money and lost jobs is the danger of flying model airplanes when there is a risk of loosing control, due to interference. Airplanes that weigh over 10 pounds and fly at speeds over 100 mph are quite common. Impact of one of these models with a human being could easily be deadly. Modelers are very safety conscious by necessity. But if interference from cellular phones increases the occurrence of radio

interference it will be only a matter of time before the loss of control of one of these model planes causes serious injury or death.

Finally, if this proposal passes there will be a lot of politically active modelers in a very bad mood for a long time. Our modeling club "The Lafayette Cloud Jockeys" along with many other clubs in the state will be carefully watching the development of the proposal and your position on it. This is important enough to me that it will be the single issue I consider when voting in the next election. I appreciate the time you've spent reading my opinion, and I hope that you will support it as my representative.

Very truly yours,

A handwritten signature in black ink, appearing to read "Matthew G. Wheeler". The signature is fluid and cursive, with the first name "Matthew" being the most prominent part.

Matthew G. Wheeler

cc: Senator Dan Coats
Senator Richard Lugar

Congressman John T. Myers
107 Federal Building
Terre Haute, IN 47807

February 10, 1993

Dear Congressman Myers:

I have been interested in aviation for as long as I can remember. I am very active in a local club whose members enjoy constructing and operating radio controlled model airplanes.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission. The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 Mhz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidth and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

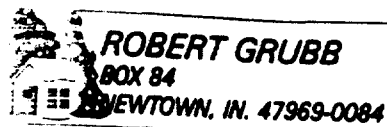
I do not think it is wise of the FCC to seek to improve conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 Mhz band.

Sincerely,



John M. Stiegelbauer, President
Terre Haute Radio Control Club



Feb. 6, 93

The Honorable John Myers
U.S. House of Reps.
Washington, D.C. 20515

Dear Mr. Myers:

I am an avid hobblist of radio controlled model aircraft and have had an interest for as long as I can remember.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these rules are adopted.

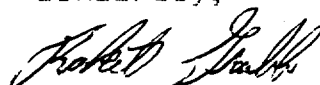
When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert Grubb".

Robert Grubb

February 7, 1993

The Honorable John T. Myers
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Myers:

I am retired and very interested in building and flying radio controlled model airplanes.

I have been interested in airplanes since my Dad built a Lincoln Sport Biplane in the late 1920's.

I have five radio controlled models, varying in size from 5 ft. wing span up to 8 ft., which includes a considerable investment.

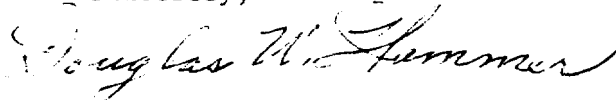
My concern is the proposed rules that are currently under consideration by the (FCC) the PR DOCKET 92-235, if adopted would greatly reduce the usability of frequencies currently assigned for model use.

I am told that of the 50 frequencies presently available for control of model airplanes only 19 would be left if these new rules are adopted.

I don't think it wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers.

The thousands of radio control modelers like myself have several thousand dollars invested in this hobby and I hope you will give us consideration.

Sincerely,



Douglas W. Hammer
6950 State Road 39
Martinsville, IN 46151

CC: Senator Richard Lugar
Rep. John Meyers
FCC

The Honorable John T. Meyers
2372 Rayburn House Office Building
Washington, D.C. 20515

2/7/93

Dear John T. Meyers,

I have been involved in model aviation since I was a boy. Since 1972 I have been constructing and operating radio controlled model airplanes. I am a very active member in a local radio control club.

I am very concerned about the proposed rules that are currently being considered by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for the model use and increase the risk of accidents and attendant liability for controlling model airplanes.

I am an active competitor in local, regional, and national events. Since our radio control frequencies are in the 72-76 MHz band, splitting this into narrower bandwidths to accommodate more private land mobile dispatch operations would allow for only 19 frequencies available for radio control. Presently, there are 50 frequencies used by modelers.

PR Docket 92-235 would make the proposed new frequencies so close that interference would occur and render most model frequencies unusable.

Recently, The Academy of Model Aeronautics, our national organization, moved its headquarters to Muncie, In. If you have the time I would hope that you would visit the facility and see first hand the safety precautions involved in the careful coordination and use of the radio frequencies.

I do not think that it is wise of the FCC to seek to improve operating conditions of land mobile radio users at the expense of radio control modelers.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band. Please do not allow PR Docket 92-235 to be adopted.

Sincerely,

Steve Ragdale
6402 Quail Ridge W
Plainfield, In
46168

February 3, 1993

The Honorable John Myers
United States House of Representatives
Washington, DC 20554

James G. Thomas
395 Hamilton St.
W Lafayette, IN 47906

Dear Mr. Myers,

I have been involved in model aviation for over 30 years, and am an active national level competitor in radio controlled glider competition for the past 12 years. I am also a contest director, charged with maintaining safe operations for the contests that I supervise.

I have been informed of the proposed rules (PR Docket 92-235) that are now under consideration by the Federal Communications Commission (FCC), and am concerned by the potential consequences to my hobby. Should these rules be adopted, they would reduce the availability of frequencies currently assigned to model use, and would greatly increase the risk of accidents and the attendant liability for controlling model airplanes.

The frequencies in question are in the 72-76 Mhz band. This band is used for private land mobile dispatch operations in addition to radio control modeling. However, the radio control frequencies in this band are far enough apart from the current land mobile frequencies that we have been able to share the band without mutual interference. The FCC proposes to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies would move perilously close to the current radio control frequencies and cause interference to radio control operations. If the proposed rules are adopted, over 60% of the currently available radio control frequencies will be rendered unsafe.

Modelers go to great lengths to assure the safe operation of their craft. A key element of this is the careful coordination of frequencies. Should the number of available frequencies decrease, the safety margin will be decreased due to congestion on the remaining frequencies. This would be of great concern in many of the locations where a large number of craft are in operation at the same time.

Many of the models that we fly are quite large. Some motor-powered airplanes weigh as much as 40 pounds. Other powered planes weigh 8-10 pounds and can fly as fast as 100 mph. Gliders may weigh up to 11 pounds, and are routinely flown at altitudes up to 2000 feet and at distances up to 1/4 mile away in search of thermal currents. Should radio interference be encountered causing an operator to lose control of his ship (during otherwise routine, safe operation), property damage, serious injury or even deaths could occur.

I do not believe it is fair and reasonable of the FCC to seek to improve the operating conditions of one user group at the clear expense of another. We have a significant investment in our hobby, both financially in the radio equipment and from the enjoyment that it brings. Please help us continue in the safe enjoyment of our hobby by not allowing the FCC to enact its proposals for the 72-76 Mhz band.

Sincerely,

James G. Thomas AMA 395-11

February 3, 1993

The Honorable John Myers
United States House of Representatives
Washington, DC 20554

Dear Mr. Myers,

I am involved in model aviation in conjunction with my husband's interest in the hobby. I am also an active contest director at both the local and national levels, charged with maintaining safe operations for the contests that I supervise.

I have been informed of the proposed rules (PR Docket 92-235) that are now under consideration by the Federal Communications Commission (FCC), and am concerned by the potential consequences to my hobby. Should these rules be adopted, they would reduce the availability of frequencies currently assigned to model use, and would greatly increase the risk of accidents and the attendant liability for controlling model airplanes.

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Sincerely,

Peterson Thomas AMTA
9888